

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Mohamed Abdalla Mahmoud,

Case No.: 2:23-cv-01123-CDS-DJA

Petitioner

Order Instructing Petitioner to File an IFP Application or Pay the Filing Fee

V.

[ECF No. 1]

Brian Williams,

Respondent

Petitioner Mohamed Abdalla Mahmoud, a *pro se* Nevada prisoner, has not properly
enounced this habeas action by either paying the standard \$5.00 filing fee or filing an
application for leave to proceed *in forma pauperis* (“IFP”).

Pursuant to 28 U.S.C. § 1914(a) and the Judicial Conference Schedule of Fees, a \$5.00

14 filing fee is required to initiate a habeas action in a federal district court. The Court may
15 authorize an indigent prisoner to begin a habeas action without paying the \$5 fee if he or she
16 submits an IFP application on the approved form and includes three specific documents: (a) the
17 prisoner's financial declaration and acknowledgement showing an inability to prepay fees and
18 costs, (b) a financial certificate signed by the prisoner and an authorized prison official, and (c) a
19 copy of the prisoner's account statement for the six-month period prior to filing. 28 U.S.C.
20 § 1915(a); LSR 1-1, LSR 1-2.

Petitioner will have 45 days from the date of this order to either pay the \$5 filing fee or submit a complete IFP application with all required documentation.

23 I THEREFORE ORDER that the initial screening of the Petition for Writ of Habeas
24 Corpus (ECF No. 1-1) under the Rules Governing Section 2254 Cases is deferred to until such
25 time as he has fully complied with this order.

The Clerk of Court is instructed to send petitioner a blank form IFP application for incarcerated litigants along with instructions, and a copy of this order.

I further order that, within 45 days of the date of this order, petitioner must file an IFP application that includes a: (a) financial certificate signed by petitioner and an authorized prison official, (b) financial declaration and acknowledgement signed by petitioner, and (c) copy of petitioner's inmate account statement for the six-month period prior to filing. Alternatively, petitioner must pay the \$5 filing fee within 45 days of the date of this order. If petitioner decides to pay the filing fee from his inmate account, he must arrange to have a copy of this order attached to the check for the filing fee.

10 It is further ordered that petitioner's failure to comply with this order within 45 days by
11 either submitting a complete IFP application, or paying the filing fee will result in the dismissal
12 of this action without prejudice and without further advance notice.

13 DATED: August 9, 2023



UNITED STATES DISTRICT JUDGE